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2 Honorable Linda B. Riegle  
3 United States Bankruptcy Judge  
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6 **Entered on Docket**  
7 **January 03, 2012**  
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21 **UNITED STATES BANKRUPTCY COURT**  
22 **DISTRICT OF NEVADA**

23 In re:

24 **USA COMMERCIAL MORTGAGE**  
25 **COMPANY,**

26 Debtor.

Case No. BK-S-06-10725-LBR

CHAPTER 11

**ORDER GRANTING USACM  
TRUST'S MOTION TO AMEND  
COURT'S ORDER SUSTAINING  
SECOND OMNIBUS OBJECTIONS  
RE: THE SVRB 2.325 LOAN**

**Hearing Date: November 15, 2011**  
**Hearing Time: 9:30 a.m.**

20 The Court having considered the USACM Liquidating Trust's Motion To Amend  
21 Court's Order Sustaining Second Omnibus Objections Re The SVRB 2.325 Loan (The  
22 "Motion") [DE 9386] at the hearing held on November 15, 2011. The Trust moves to  
23 amend the Court's Order regarding the Second Omnibus Objection to Proofs of Claim  
24 Based Upon an Investment in the SVRB 2.325 Loan [DE 8827] as it relates to Proof of  
25 Claim No. 10725-02014 filed by The Canepa Defined Benefit Pension Plan. Appropriate  
26 notice of the Motion having been given, no responses having been filed, and good cause  
appearing.



1 IT IS ORDERED

2 1. The Motion to Amend [DE 9386] is granted; and

3 2. Proof of Claim No. 10725-02014 filed by The Canepa Defined Benefit

4 Pension Plan, is hereby allowed in the amount of \$8,000.00 (20%) and disallowed in the

5 amount \$32,000.00 (80%).

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8 PREPARED AND RESPECTFULLY SUBMITTED BY:

9 **LEWIS AND ROCA LLP**

10 By /s/ John Hinderaker (AZ #018024)

11 Robert M. Charles, Jr.

12 John Hinderaker (*pro hac vice*)

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## LOCAL RULE 9021 CERTIFICATION

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In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

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\_\_\_\_\_ This Court has waived the requirement set forth in LR 9021(b)(1).

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\_\_\_\_\_ XXXX

\_\_\_\_\_ No party appeared at the hearing or filed an objection to the motion.

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\_\_\_\_\_ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

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\_\_\_\_\_ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

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U.S. Trustee: <u>Augie Landis</u>	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

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21

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Submitted by:

LEWIS AND ROCA LLP

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24

By: /s/ John Hinderaker. (AZ #018024)

Attorneys for USACM Liquidating Trust

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